

ENFORCEMENT - THE "FINAL ANSWER"

by George Waun

You may not be aware of the drinking water program's efforts over the years to formally enforce the drinking water rules. Either you comply with all the rules and therefore have not been the object of an enforcement action (good for you!), or your violations have been minor or non-repetitive in nature and you have not occupied the center of our enforcement radar screen.

Our enforcement effort has been significant. Since Primacy in 1986, the drinking water program has issued almost 1,600 formal actions to water suppliers for violations of standards and rules (see first chart, page 2). Most enforcement actions fall into one of two categories. The first involves water suppliers whose water system is incapable of consistently meeting maximum contaminant levels (MCL), treatment requirements (TT), or action levels (AL). Enforcement actions in these cases focus on setting a compliance schedule to serve as a framework to support the multiple steps of communication with water users, identifying available solutions, preliminary solution selection and design, accessing funds, selecting project consultants, final design, construction, and startup. Complex projects, such as installing filtration treatment for surface water sources, can take several years or more to complete. The goal here is to modify the water system facilities so that drinking water quality standards are met.

The second general enforcement action category is focused on water suppliers who just don't get the required water tests done and report the results to us (monitoring and reporting - M/R). This category is by far the largest, because most violations are for sampling and reporting. In these cases, our goal is to get the water supplier's attention, and modify their behavior to do the tests and report. These actions have shorter timeframes and more immediate consequences. For an summary look at our detailed enforcement numbers over the years, see Table 1: "Enforcement Action Summary 1986-2000" (page 2).

While we've done a lot of enforcement over the years, readers of the PIPELINE know that Oregon water suppliers commit about 4,000 violations per year (see 1999 Report on Oregon Public Drinking Water - Summer 2000). At current staffing levels, we can only address and keep track of so many formal actions and therefore we concentrate on MCL and TT violations for contaminants with acute health affects (coliform bacteria, surface water

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THE SAFE DRINKING WATER ACT "IMPLEMENTATION CRUNCH"

by Dave Leland

Recently, you received the Special Edition PIPELINE entitled "Oregon Drinking Water Quality Standards" (Spring 2000). We hope you find this "simplified" summary of the current and future standards a useful reference. We also hope you will use the summary to explain the drinking water standards to your water users and to local decision-makers on your city councils, district boards, association directors, and homeowners associations.

Safe Drinking Water Act Timeline

The inescapable conclusion of even a cursory review of the PIPELINE summary is that there is a huge number of new federal drinking water requirements under the Safe Drinking Water Act coming all at once. This is further illustrated by the "SDWA - Major Rule Implementation Milestones" timeline recently prepared by the US Environmental Protection Agency and presented on pages 6 & 7. Major milestones are presented for each rule, including work required of both public water suppliers and of the state program.

Of particular concern to us is what we are now referring to as the "seven-rules-at-once implementation crunch". You can see that public notice, long-term enhanced surface water treatment, filter backwash, radon, radionuclides, groundwater, and arsenic will all be finalized by EPA during THIS calendar year! EPA's expressed intent is to meet all of the rule adoption deadlines established in the Safe Drinking Water Act by Congress. Those of you who follow the PIPELINE (and hopefully other available organizational literature as well) know already that these new requirements are not trivial for water suppliers.

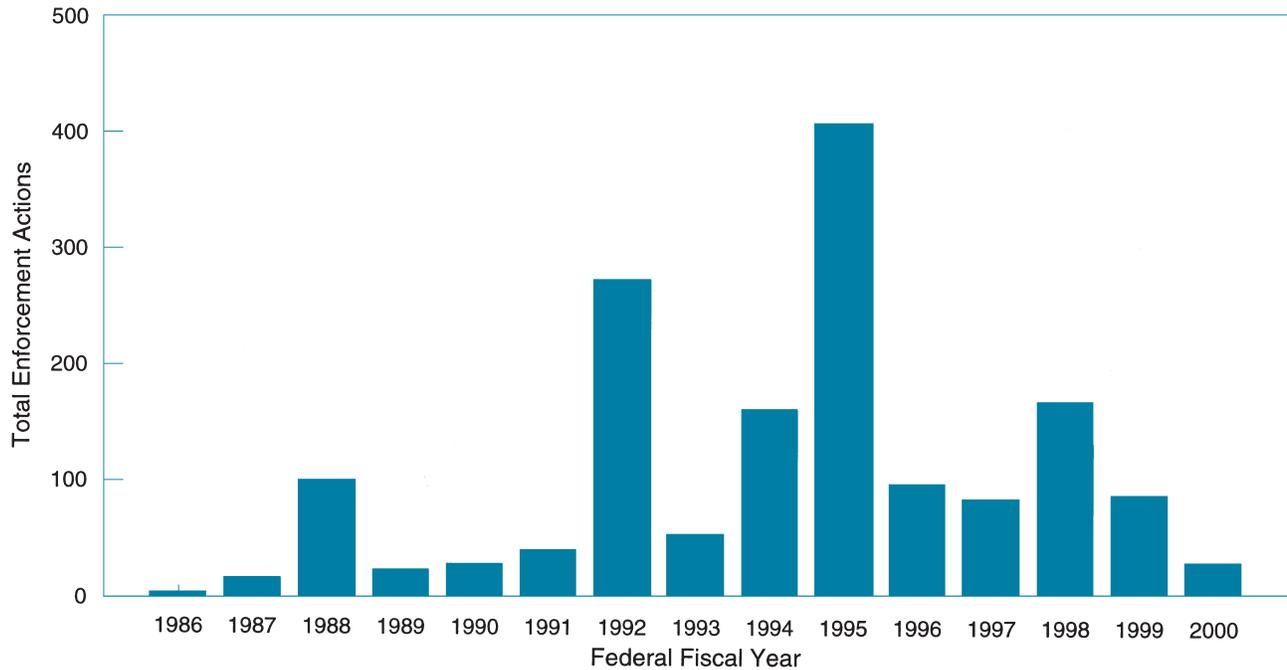
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Enforcement Actions Issued by Year

Oregon Drinking Water Program



Total Actions - 1,594

TABLE 1: ENFORCEMENT ACTION SUMMARY 1986-2000

Federal Fiscal Year	Total Actions	Notice of Violation	Administrative Order	Extension	Notice of Intent to Assess Civil Penalty	Civil Penalty	Bilateral Compliance Agreement	State Court Referral	Actions Completed	Actions Incomplete	Percent of Actions Completed
1986	4	0	4	0	0	0	0	0	4	0	100.0
1987	17	3	12	0	0	0	2	0	16	1	94.1
1988	101	93	2	5	1	0	0	0	101	0	100.0
1989	24	17	2	2	2	1	0	0	24	0	100.0
1990	30	15	6	4	1	2	2	0	30	0	100.0
1991	42	25	8	4	2	3	0	0	39	3	92.9
1992	274	222	48	0	1	0	3	1	243	31	88.7
1993	55	4	6	36	9	0	0	0	44	11	80.0
1994	162	25	86	28	22	0	0	0	131	31	80.9
1995	409	346	14	11	38	0	0	0	398	11	97.3
1996	99	35	13	20	31	0	0	0	84	15	84.8
1997	86	49	10	24	1	1	1	0	58	28	67.4
1998	170	100	41	25	4	0	0	0	43	127	25.3
1999	89	50	10	26	2	1	0	0	34	55	38.2
2000	32	18	6	7	0	0	1	0	4	28	12.5
TOTAL	1594	1002	268	192	114	8	9	1	1253	341	78.6

ENFORCEMENT (Continued from page 1)

treatment, and nitrate) and on repetitive or long-standing sampling and reporting problems.

The second chart (page 4) shows the percentage of enforcement action completed. Since actions that call for water system construction can take multiple years, recent actions have a lower completion rate than the older ones. However, you can see that most actions are ultimately brought to a conclusion. We are also currently working to get about 200 past unresolved actions “back on track”.

Unfortunately, we occasionally fail to modify behavior even with a formal action. Going to additional steps requires much more staff time, as well as Attorney General fees (\$91/hour) that we get to pay. Expenditures of both time and money deplete our limited program resources. At the same time, we are the first to recognize that consequences must be applied to assure the credibility of the safe drinking water program. The Drinking Water Advisory Committee debated this issue long and hard and advised us to refer those water suppliers that remain unresponsive to EPA for their direct action. EPA Region X has, for their part, recently agreed to take on this role as much as their priorities and resources allow. EPA actions against these water suppliers will allow us to stretch the overall program resources a bit further. In addition, penalties under the federal Act are much higher than ours (up to \$25,000 per day per violation!).

Recent State Actions

Table 2: “Enforcement Actions” (page 4) lists our formal enforcement actions issued since October 1, 1999. One list shows systems that were issued new actions for rule violations. The other lists the systems with existing enforcement actions who were issued extensions to their long-term compliance schedules.

Our best advice to you remains the same. Pay attention to your sampling and reporting schedules, and get your sample results in on time. If you are upgrading your water system under a long-term formal compliance schedule, pay close attention to the specified due dates and milestones. If you run into difficulties meeting the schedule, contact us early to work toward a resolution. If your water system is operating under a past due enforcement action, you must either demonstrate compliance or request formal extension to your compliance schedule. Extension requests must contain a description of status, progress made, reason for additional time, and anticipated schedule and final completion date. Our goal, and yours, is to get drinking water problems solved. The history and status of enforcement actions for any system can be reviewed on our web page, “www.ohd.hr.state.or.us/dwp” by clicking “Data Online”, entering the system name or number, and then clicking “Enforcements” at the bottom of the page.

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Oregon Refers Problem Systems to EPA

Our Drinking Water Program has now started to meet regularly with EPA to identify systems who have been unresponsive to our compliance efforts. The following is a list of those systems who have been formally referred to EPA for enforcement:

Water Act, EPA has agreed to assist. “The Division has made repeated efforts to obtain missing data from each of these systems,” Rogers said. “They have taken an action on each of these systems and have given the water supplier every opportunity to comply with the state actions.” For example, Rogers

PWS ID	System Name	Population	County	Violations
4101378	Tranquility Base Mobile Park	75	Crook	M/R - Chems
4101445	Riverbend West Subdivision	60	Douglas	SWTR
4100420	Vista Dale Water System	60	Lane	M/R - Coli
4194311	Hermiston Day Care Center	75	Umatilla	M/R - Coli, LCR, Chems
4100239	London Water Co-op	50	Lane	SWTR
4100728	Appleblossom MHP	60	Marion	M/R - Coli, LCR, Chems
4191902	Caves Highway RV Park	25	Josephine	M/R - LCR, Chems

The EPA and our Program have agreed to share the enforcement responsibilities against water suppliers in Oregon who persistently violate the drinking water rules. Harold Rogers, coordinator of EPA’s Safe Drinking Water Program in Oregon, indicates that the Division has done an excellent job of sustaining an effective enforcement program compared to the expanding scope of federal drinking water regulations. However, due to the increasing volume of enforcement actions needed to bring systems in compliance with the Safe Drinking

said the Division assessed a \$2000 civil penalty against Tranquility Base Mobile Park last year for testing and reporting violations, but they still have not reported. The EPA can assess civil penalties of up to \$25,000 per day of violation.

“Although enforcement action can be taken by EPA, we prefer to encourage voluntary compliance with the State,” Rogers said. He suggested that Oregon water suppliers comply with the rules on time, or if they receive a state action that they comply with the action as prescribed. Otherwise, they are likely to meet up with EPA.

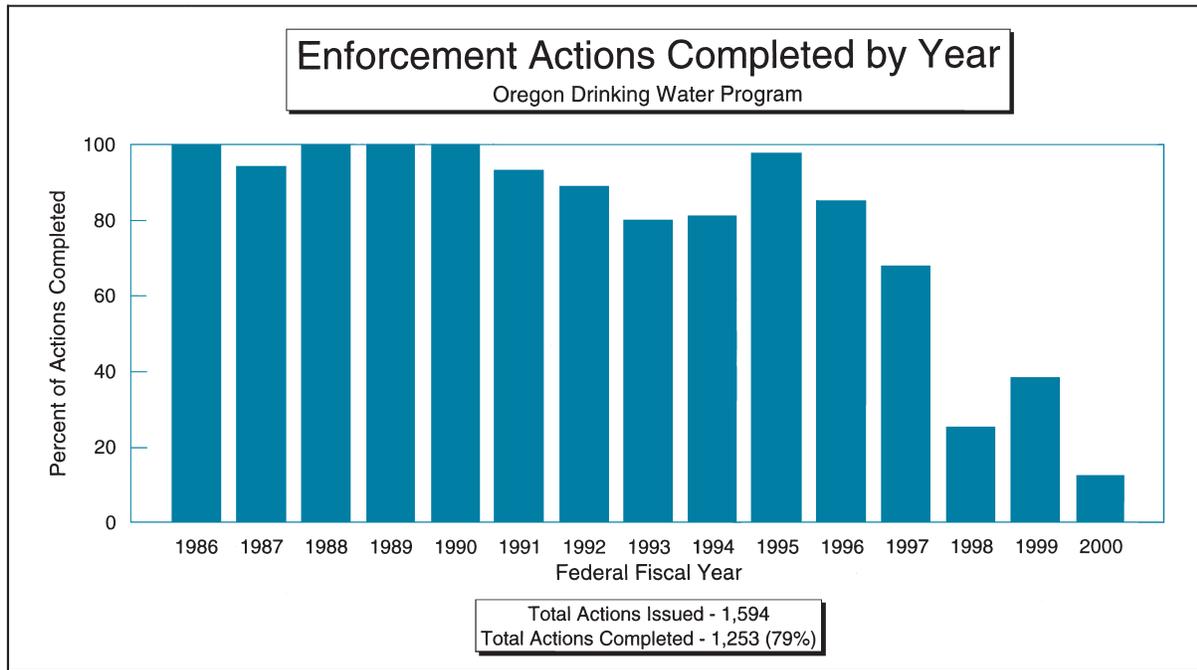


TABLE 2: ENFORCEMENT ACTIONS 10/1/99 to 6/30/00

NOTICES / ORDERS / AGREEMENTS				
Date	PWS ID	System	Population	Violation*
06/12/00	4100805	Evergreen Acres	90	SWTR
05/26/00	4100302	South Coast Water District	125	SWTR
05/22/00	4105567	Sunridge Estates	75	M/R - Chems, plans
03/03/00	4194911	Church on the Hill	500	M/R - Coli, LCR
03/03/00	4191505	Evans Valley Elementary	250	M/R - Coli
02/29/00	4194985	Milton-Stateline S.D.A. School	95	M/R - Coli
02/29/00	4100220	Roth Development	35	M/R - Coli, LCR
02/28/00	4101277	Bley-Was Heights Water System	41	MCL - Coli
02/28/00	4100383	Hines Mobile Home Park	30	MCL - Coli
02/17/00	4191966	Carlton Plants 1	40	M/R - Coli
02/15/00	4195021	USDA Ag Research Station	30	M/R - Coli, Chems
02/15/00	4194685	Wallowa Forest Products	55	M/R - Coli
02/10/00	4195040	BLM Burns District Office	80	M/R - Coli, LCR
02/10/00	4100808	Country View Mobile Home Estates	120	M/R - SWTR
02/10/00	4194757	Spec Industries	30	M/R - Coli, LCR, Chems
01/26/00	4105114	Deer Island Heights Trailer Park	63	M/R - Coli
01/26/00	4100543	Mosier, City of	255	MCL - Coli
01/24/00	4100042	Antelope, City of	45	MCL - Coli
01/24/00	4101397	Duplex Village Water System	162	MCL - Coli
01/24/00	4100683	Quail Valley Homeowners Assn.	150	MCL - Coli
01/18/00	4100797	Scotts Mills, City of	290	MCL - Coli
11/23/99	4100568	Beverly Beach Water District	210	SWTR - Rads M/R
11/23/99	4100861	Circle C Improvement District	150	M/R - Coli
10/07/99	4101486	Oregon Youth Authority - Hilgard	35	M/R - LCR, Coli, Chems/Rads
10/07/99	4101484	Shield Crest Condos	32	M/R - LCR
EXTENSIONS				
Date	PWS ID	System	Population	Violation*
05/22/00	4190541	Camas Valley School District 21	185	LCR - treatment
05/22/00	4100297	Falls City Water Department	804	LCR - treatment
05/22/00	4101464	Hidden Meadows Water System	110	LCR - treatment
05/22/00	4100843	Stayton, City of	5,630	LCR - treatment
05/22/00	4100857	Talent, City of	3,000	LCR - treatment
12/03/99	4100493	Lyons-Mehama Water District	1,670	LCR - treatment
12/03/99	4100843	Stayton, City of	5,630	LCR - treatment

* LCR - Lead and Copper Rule
 MCL - Maximum Contaminant Level
 M/R - Monitoring and Reporting
 SWTR - Surface Water Treatment Rule

Chems - Chemicals
 Coli - Coliform Bacteria
 Plans - Plan Review
 Rads - Radiologicals

SAFE DRINKING WATER REVOLVING LOAN FUND

by Dave Phelps

Changes in 2000

In May 2000, the Oregon Drinking Water Advisory Committee approved several changes designed to expedite utilization of the Safe Drinking Water Revolving Loan Fund. These changes are summarized as follows:

Revisions to the Handbook:

- Disadvantaged Communities may receive \$250,000 or 25 percent of the loan amount (whichever is less) in the form of principal forgiveness for water safety improvement project. As much as 33 percent of the total project may be paid for using principal forgiveness and grants from other funding sources. For planning awards, principal forgiveness up to \$20,000 or 33 percent of the loan amount is allowed.
- Disadvantaged Communities will be based on a single ratio (1.75 percent) of the average annual water rate to the local median household income (from the 1990 Census — with the possibility of special surveys where incomes might have fallen; this ratio is subject to adjustment with the availability of 2000 Census figures and inflation indexing thereafter).
- An application form is no longer included in this Handbook. The Oregon Economic and Community Development Department will offer more streamlined application forms/methods, in common with its other programs, upon request.
- With prior approval by the Economic and Community Development Department, a water system can receive reimbursement for preconstruction costs incurred prior to approval of the loan award.
- Instead of relying on a gubernatorial declaration, a water system may be funded without inclusion on the Project Priority List, if there is a declaration by the State Health Administrator if an emergency situation, in the case of a very serious event/health threat.
- In order to encourage large systems and projects to use the state revolving fund, the maximum loan limit was doubled to \$4 million, as the need to serve small systems is being easily met. Projects over \$4 million go to the Drinking Water Advisory Committee for approval.

Other Related Changes:

- The Oregon Health Division will dedicate special technical assistance set-aside moneys to help pay for preliminary planning and application preparation for especially small water systems.
- The Oregon Health Division will require water systems under a Notice of Violation or an Administrative Order issued by the Division for violations of the Safe Drinking Water Act to seek financial assistance from the Safe

Drinking Water Revolving Loan Fund or to otherwise demonstrate the financial means needed to return to compliance.

Program Highlights

Problem to be Solved:

- The Safe Drinking Water Revolving Loan Fund offers a long-term, self-sustaining source of finance to build and upgrade drinking water systems in Oregon communities.
- Compliance with federal and state health standards that ensure the safety of water for human consumption will often mean expensive investments in treatment and other facilities, for which financial assistance can be critical.

Who is served:

- The program's financing is available to all sizes of water systems, although 15 percent of all moneys are reserved for systems serving fewer than 10,000 population. Municipal, nonprofit and privately owned community water systems are eligible, as well as nonprofit non-community systems.
- Activities that may be funded range from project planning to acquiring land and equipment and constructing facilities for better water supply filtration, storage, distribution, etc.
- Moneys may not be used for dams, water rights, operations, administration, projects primarily aimed at fire suppression/growth or purchases unrelated to the requisite compliance problem.

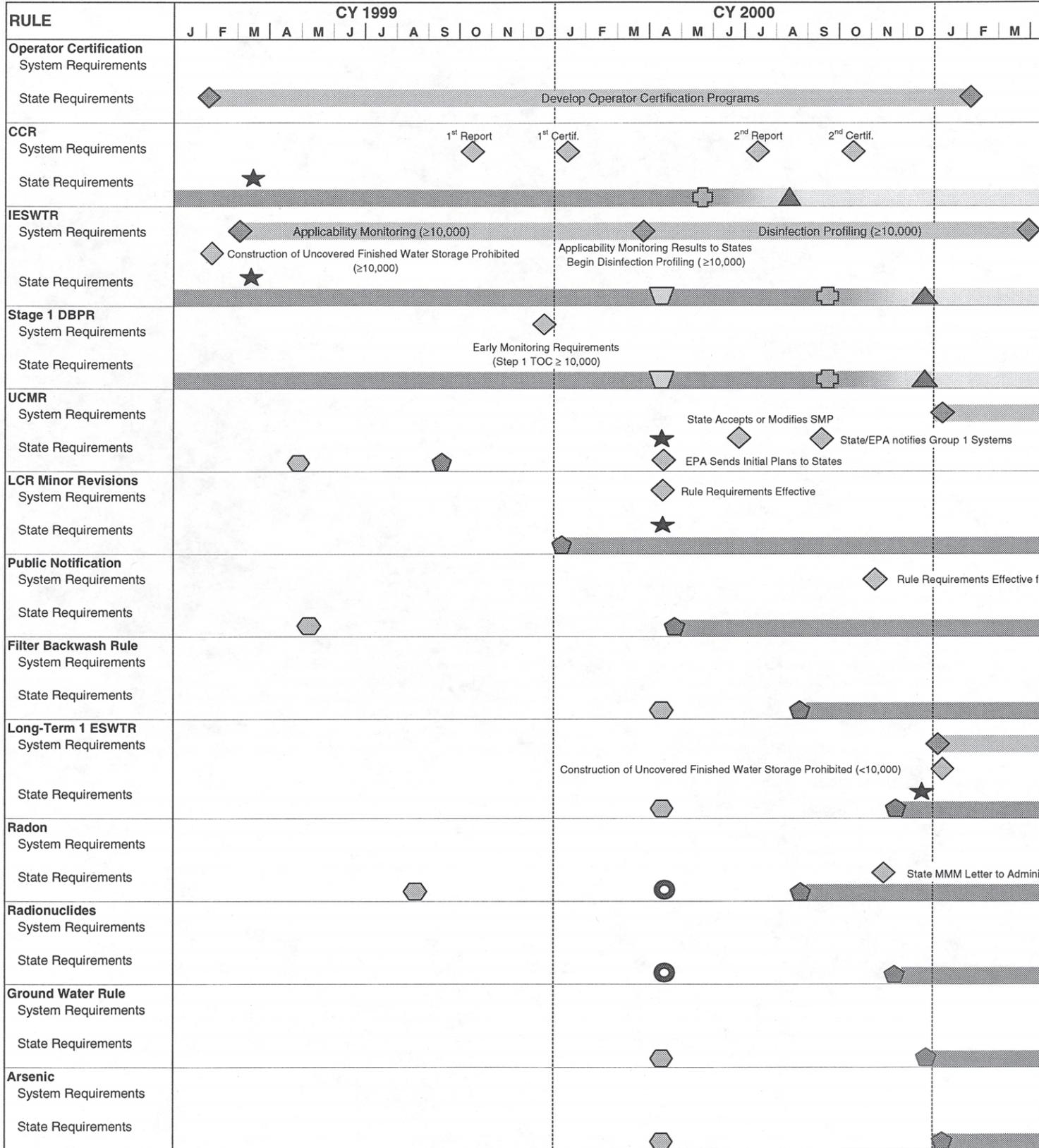
What to Do:

- Each water system must submit a Letter of Interest, which will be rated and ranked on the Project Priority List based on criteria such as health risks, environmental compliance and affordability. The only exception is for a declaration of emergency.
- Once on this list, a One-Stop Finance meeting with, and an application to, the Economic and Community Development Department may go forward, including consideration of loans or grants from other Department funding sources.

Ways & Means:

- Congress has appropriated the capital that makes this revolving fund possible. State resources are used to match a portion of this federal grant.
- State agencies have banded together to prepare the Intended Use plan and other matters that the U.S. Environmental Protection Agency needs for each year's grant award, and to approve projects, administer the revolving loans and undertake related activities.

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Implementation Milestones



Submit Primacy Revision Application
 State Without Extension Submit Primacy Revision Application
 State With Extension Submit Primacy Revision Application
 System/State Requirement Timeframe
 System/State Requirement Milestone

SAFE DRINKING WATER REVOLVING LOAN FUND

(Continued from page 5)

What is Offered:

- Eligible water systems receive a direct loan, with the following attributes:
 - Up to \$4 million per project, based on reasonable and prudent ability to repay
 - A 20-year term (but not longer than the project's useful life)
 - Interest rate that is only 80 percent of state/local bond rate.
- Communities for which the average annual water rate will exceed 1.75 percent of local median household income qualify for status as Disadvantaged Communities, which provides for up to 30-year loans at 1 percent interest and the possibility of some principal forgiveness.

Some Additional Requirements:

- Each applicant/water system must show the financial, managerial and technical capacity to maintain compliance and must pass a thorough underwriting analysis to ensure creditworthiness and the security of the loan.
- Every project requires an environmental review and adherence to state laws and regulations for prevailing water rates, procurement and so forth.
- A number of "cross-cutting" federal policies, laws and authorities must also be satisfied.

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POWELL VALLEY ROAD WATER DISTRICT RECEIVES AWWA'S NATIONAL EXEMPLARY WELLHEAD PROTECTION AWARD

by Dave Gilbey

On October of 1995, the Board of Commissioners of Powell Valley Road Water District adopted a water system master plan. The development of a drinking water protection plan was ranked number two, among the master plan's first ten recommendations to improve the District's overall water service capabilities.

After two years of planning and effort a Drinking Water Protection Plan was produced by District staff, local activists, residents, business people, and representatives from the City of Portland, county, and state agencies as well as hydrogeologists and engineers from the consulting community. The plan is based on the Oregon Wellhead Protection Program Guidance Manual of May 1996. On August 4, 1998, the District's Drinking Water Protection Plan and Wellhead Protection Area were among the first to be certified by the state as part of Oregon's **voluntary** Drinking Water Protection Program.

The purpose of the Wellhead protection plan is to protect valuable groundwater from pollution and contamination, and to assess the potential contaminant sources that could impact groundwater. Thanks to the hard work by a dedicated group of water professionals and citizens, the possibility of contamination and loss of this valuable domestic drinking water source has been greatly reduced.

PVRWD's Drinking Water Protection Plan has received national recognition. The District received AWWA's "National Exemplary Wellhead Protection Award" at the National AWWA conference this year in Denver, Colorado.

Currently Powell Valley Road Water District operates two domestic drinking water production wells that are located in southeast Portland. The wells have a maximum production capacity of 2.3 million gallons per day. Currently PVRWD is developing additional ground water wells which will eventually provide the district with 5 million gallons per day of domestic drinking water.

We at PVRWD view the Districts existing and future groundwater wells as a vital component of the District's water supply and should be protected. A drinking water plan, in addition to providing increased protection of the groundwater aquifer, also can promote community involvement and awareness of the need protect this valuable resource.

For this reason our drinking water protection program has concentrated mainly on public education, and personal contact with business owners whose operations are considered a risk to groundwater. Once these individuals understood what is being protected, and that we actually, "live" on top of our drinking water source, we had good cooperation from them. We whole heartily support the State of Oregon's voluntary well head protection program.

*Dave Gilbey, Water Quality Supervisor
Powell Valley Road Water District*

Powell Valley Road Water District's Drinking Water Protection Plan is an excellent example of how a community can come together to develop a plan to protect their future drinking water. Community members worked together to develop reasonable, workable strategies that significantly reduce the risk to their groundwater source. Other communities can benefit from PVRWD's efforts by following a similar approach to plan development. In addition, the delineation of the wellhead protection area and inventory of potential contaminant sources that PVRWD had to acquire to develop their plan in 1996 are now provided directly to Oregon water systems at no cost as part of the Source Water Assessment program. Individuals interested in more information regarding Drinking Water Protection and Source Water Assessments for groundwater systems may contact Dennis Nelson, OHD Groundwater Coordinator at 541-726-2587 or Julie Harvey, DEQ Drinking Water Protection Program at 503-229-5664.

THE SAFE DRINKING WATER ACT *(Continued from page 1)*

State drinking water programs have to adopt each federal rule and complete EPA program review within two years of federal rule adoption in order to keep Primacy. Water suppliers must comply with each new rule within three years of federal rule adoption (five years if capital construction is needed). Lately, you have probably noticed that some requirements of new federal rules actually take effect even before state rule adoption is complete. These so-called “early implementation deadlines” are then supervised directly by EPA until the state rule takes effect. So, 2001-2005 is shaping up to be a pretty frantic period for Oregon water suppliers, and it will be especially important for you to pay very close attention to your compliance deadlines!

Getting through the initial and long-term implementation of these requirements in Oregon will be a major challenge. I will be writing in future PIPELINE editions about each of these rules as they are finalized by EPA. In the meantime:

- Inform yourself through reading organizational literature, browsing the Internet, attending training.
- Sample for new contaminants now, see where you stand.
- Develop an integrated compliance strategy for your water system for all the rules, not one at a time. Plan ahead!

Program Priorities

We are, of course, very concerned about how well Oregon water suppliers will be able to cope with all these new requirements. Of particular concern is the large number of very small water systems using groundwater sources without treatment - many of these may be coping with the groundwater rule, arsenic, and radon to one degree or another.

We are also concerned about our own capability to support efforts by Oregon water suppliers to implement the new requirements. The drinking water program has added program capabilities through staffing and contracts in a number of key areas, including increased support for local county health departments, source water assessment and protection, the safe drinking water revolving loan fund, and technical assistance. However, the core regulatory part of our program has not really expanded since the mid-1980s, in spite of the expansion of the number of regulated drinking water contaminants from 23 to 96! Increasingly, we spend more of our limited program time on adoption and initial implementation of new rules and reporting program and compliance data to EPA, and less on direct compliance work and contacts with individual water suppliers. If you feel like we're harder to get hold of and make fewer appearances in the field, this is why.

Even with new funding made available overall to the drinking water program under the Act, the scale and scope of the new requirements exceeds the level of the regulatory program available to carry out the work from our end. For example,

current national workload estimates indicate that Oregon should now have a staff level of 63, climbing to 75 in 2005. The actual Oregon program total staffing, including state drinking water program staff, county health departments, the Department of Environmental Quality, Oregon Economic and Community Development Department, and technical assistance contractors is at most 51 now, and may actually decline under future funding outlooks.

During 1999, the Drinking Water Advisory Committee (DWAC) identified and prioritized overall program functions for the 2000-2005 period. The DWAC recognized that program functions must be prioritized to assure that limited available resources are put to the best use to improve public health protection. The table on pages 10 & 11 was prepared by the DWAC and lists program elements from highest to lowest health priority. The table also indicates whether the program element is required or just authorized and whether by state or federal law. Note that while some legally required elements are rather low on our priority list, you are not released from any of your responsibilities as a public water supplier. We present the priorities to you so that you can take the appropriate level of responsibility to assure that your water system complies with rules and standards, regardless of the level of assistance and support that our program is able to provide to you.

We are using this priority scheme to manage the state drinking water program to address the most important public health outcomes within the resources available to us. We plan to continue our focus on acute contaminants (coliform bacteria, surface water treatment, and nitrate), distributing information on requirements to water suppliers, working from large systems to small systems, and on maintaining Primacy and the Drinking Water Revolving Loan Fund. Any work that we can't get to may be taken up by the EPA using resources they have available to them. In particular, we are beginning to refer for direct EPA enforcement those noncompliant water suppliers that have been unresponsive to our state enforcement efforts. So, be prepared to hear about EPA direct involvement with some Oregon water systems (see related article, page 1).

All that being said, we should be mindful of the very significant progress that continues to be made on safe drinking water in Oregon by public water suppliers, the drinking water program, and all the safe drinking water partner agencies and organizations. 1999 was a great year for progress, and we described this progress in the “1999 Report on Oregon Public Drinking Water”, PIPELINE Special Edition - Spring 2000.

Keep up the good work, and stay tuned!

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PROGRAM FUNCTION - CRITICAL TASKS

	REQUIRED OR	AUTHORIZED
(1) Investigate water systems that fail to meet water quality standards	State Required (ORS 448)	Primacy Required (SDWA 1413)
(2) Require regular water testing by water suppliers at state approved laboratories and require reporting of results by the water supplier to the Division (receive and process test results, and identify violations of standards and reporting requirements-drinking water database)	State Required (ORS 448)	Primacy Required (SDWA 1413)
(3) Adopt (and implement) water quality standards that are necessary to protect public health through insuring safe drinking water within a water system (no less stringent than EPA standards)	State Required (ORS 448)	Primacy Required (SDWA 1413)
(4) Certify/approve laboratories to analyze compliance samples from water systems	State Required (ORS 448)	Primacy Required (SDWA 1413)
(5) Investigate reports of waterborne disease and take action to protect public health	State Required (ORS 448)	Primacy Required (SDWA 1413)
(6) Adopt (and implement) construction standards governing the performance of water systems related to the safety of drinking water	State Required (ORS 448)	Primacy Required (SDWA 1413)
(7) Provide technical assistance and organize, coordinate, and conduct training for water system personnel (and assure that training is available statewide)	State Authorized (ORS 448)	DWSRF Authorized
(8) Establish and maintain records of water system test results, state determinations, state decisions, and enforcement actions, and report on these to EPA (Maintain drinking water database and files)	Primacy Required (SDWA 1413)	
(9) Give written Notice, accompanied by an Order requiring remedial action, to the water supplier when a water system is operated or maintained in violation of drinking water rules	State Required (ORS 448)	
(10) Apply for and maintain Primacy for the federal Safe Drinking Water Act (subject to 10 assumptions)	State Authorized (ORS 448)	DWSRF Required
(11) Administer loans to communities to plan, design, and construct drinking water facilities needed to meet current and future drinking water standards. Track progress and results of all activities under the loan fund, and report to EPA biennially. Develop and implement capacity requirements for loan applicants, new public systems, and a statewide capacity strategy.	DWSRF Required	
(12) Maintain a plan outlining actions to be taken by the Division during emergencies relating to water systems	State Required (ORS 448)	Primacy Required (SDWA 1413)
(13) Require water suppliers to give public notice of violations	State Required (ORS 448)	Primacy Required (SDWA 1413)
(14) Require construction and installation plans be submitted and approved before construction begins on new systems or substantial improvements to old systems	State Required (ORS 448)	Primacy Required (SDWA 1413)
(15) Enter into agreements with local government to carry out duties	State Authorized (ORS 448)	
(16) Delineate and assess public water system source water areas, assist communities to implement voluntary local protection efforts,	DWSRF Authorized	

PROGRAM FUNCTION - IMPORTANT, LESS CRITICAL TASKS

	REQUIRED OR	AUTHORIZED
(17) Conduct periodic sanitary surveys of water systems and sources, take water samples, and inspect records (report findings, and maintain records of surveys and findings)	State Required (ORS 448)	Primacy Required (SDWA 1413)
(18) Maintain current inventory of water systems, and report to EPA	Primacy Required (SDWA 1413)	
(19) Assure availability of State lab facilities certified by EPA and capable of performing measurements of all primary contaminants	Primacy Required (SDWA 1413)	

PROGRAM FUNCTION - IMPORTANT, LESS CRITICAL TASKS

	REQUIRED OR	AUTHORIZED
(20) Adopt (and implement) operation standards related to delivery of safe drinking water (no less stringent than EPA standards)	State Required (ORS 448)	Primacy Required (SDWA 1413)
(21) Prohibit expansion of or additional connections to a water system until the system meets water quality standards	State Authorized (ORS 448)	
(22) Maintain statutory/regulatory authority and carry out an enforcement program adequate to compel compliance with DW standards	Primacy Required (SDWA 1413)	
(23) Classify water systems and certify operators of water treatment plants or water distribution systems	State Required (ORS 448)	DWSRF Required
(24) Petition court to compel water suppliers to cease operation or make improvements to remove immediate public health hazards	State Authorized (ORS 448)	
(25) Declare an area of groundwater concern when the Division confirms the presence in groundwater drinking water supplies of contaminants resulting at least in part from nonpoint source activities (Oregon GW Protection Act)	State Required (ORS 448)	
(26) Assess Civil Penalties for violations of drinking water rules relating to the construction, operation, or maintenance of water systems	State Authorized (ORS 448)	Primacy Required (SDWA 1413)
(27) Issue permits (longer-term compliance schedule) to water systems who need time to overcome economic or other compelling factors and meet maximum contaminant standards	State Authorized (ORS 448)	
(28) Establish and maintain a certification program for persons who inspect cross connections or test backflow device assemblies	State Required (ORS 448)	
(29) Provide assistance to communities under a capacity development strategy	DWSRF Authorized	
(30) Require water suppliers providing drinking water from surface water sources to conduct and report sanitary surveys of watersheds as considered necessary by the Division	State Required (ORS 448)	
(31) Report groundwater quality test results from water suppliers to DEQ. Notify DEQ of potential groundwater management areas based on water system test results (Oregon GW Protection Act)	State Required (ORS 448)	
(32) Coordinate drinking water program activities with Oregon land use program (State Agency Agreement)	State Required (ORS 448)	
(33) Adopt (and implement) other standards and requirements considered necessary by the Division to insure safe drinking water	State Required (ORS 448)	
(34) Grant waivers to construction standards if no risk to health	State Authorized (ORS 448)	
(35) Pursue criminal charges for violations of drinking water rules or any Order issued by the Division	State Authorized (ORS 448)	
(36) Grant variances from water quality standards when best treatment is unable to treat the water to meet standards	State Authorized (ORS 448)	
(37) Conduct a program to stimulate public participation in matters relating to water systems (public presentations, information dissemination, etc.)	State Required (ORS 448)	
(38) Adopt product acceptability criteria for and monitor sale and use of water pipe and for solders, fillers, and brazing materials	State Required (ORS 448)	Primacy Required (SDWA 1413)
(39) Issue variances and exemptions (if applicable) in a manner no less stringent than SDWA	Primacy Required (SDWA 1413)	
(40) Require water suppliers to prepare water system emergency plans if deemed necessary by the Division	State Authorized (ORS 448)	
(41) Develop and submit a joint biennial report with DEQ to the Legislature on the status of the operator certification program	State Required (ORS 448)	
(42) Make loans to communities to acquire land or easements for source water protection	DWSRF Authorized	
(43) Appoint an operator certification advisory committee (service by Drinking Water Advisory Committee)	State Required (ORS 448)	
(44) Receive results of private well tests from real estate transactions and report results to DEQ (Oregon GW Protection Act)	State Required (ORS 448)	



Department of Human Services
 Oregon Health Division
 Drinking Water Program
 P.O. Box 14450
 Portland OR 97293-0450



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TRAINING CALENDAR

Oregon Association of Water Utilities
 (503) 873-8353

- Oct. 3-4 WT & WD Certification Review
- Nov. 14 Trouble Shooting Activated Sludge
- Dec. 5 Source Water Protection
- Dec. 5 SDWA Update
- Dec. 12 Treatment Tech.; Innovative Water System Capacity Development

Oregon Chapter American Public Works Association

- (541) 926-0044
- Oct. 11-13 Fall Conference
- Oct. 25-27 Street Maint. & Collection Systems
- Nov. 1-3 Public Works Leadership Training
- Nov. 15-17 Safety in Public Works
- Nov.30-Dec.1 Transportation Design Issues

Operator Certification Training

- Lisa Vanderpool/(888) 863-8916
- Oct. 2-6 Water Distribution Cert. Review

OCCIRS

- Chuck Commiskey/(541) 267-3128
- Nov. 17 Cross Connection Control: A Non-traditional Approach

Cross Connection/Backflow Courses

- Backflow Management Inc. (B) (503) 255-1619
- Clackamas Community College (C) (503) 657-6958 ext. 2388
- Backflow Assembly Tester Course
- Oct.30-Nov.3 Bend (B)
- Dec.4-8 Portland (B)
- Dec. 11-16 Oregon City (C)
- Backflow Assembly Tester Recertification
- Oct. 20 Oregon City (C)
- Dec. 8 Oregon City (C)
- Cross Connection Inspector Course
- Oct. 16-19 Portland (B)
- Nov. 13-16 Oregon City (C)
- Dec. 4-7 Bend (B)

- Cross Connection Inspector Update
- Nov. 17 Oregon City (C)

Water System Training Course

- Oregon Health Division
- Marsha Fox/(503) 731-4899
- Oct. 12 Newport
- Oct. 19 Dallas
- Nov. 8 Deer Island
- Nov. 15 Tillamook
- Dec. 14 Pendleton

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